IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI.W.P.NO.2094 OF 2005

Kripashankar Sitaram Dawar
@ Paul Ajay Anthony ..Petitioner
Vs.
The State of Maharashtra
and Ors. ..Respondents

....

Ms.Sharmila Kaushik Advocate (appointed)
for Petitioner
Mr.V.B.Konde-Deshmukh, A.P.P. for State

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CORAM: D.G.DESHPANDE AND
SMT.V.K.TAHILRAMANI,JJ.
DATE : APRIL 10,2006

ORDER ORDER : (PER SMT. V.K.TAHILRAMANI,J):

1. Heard learned advocate for the petitioner, learned A.P.P. for the State and the petitioner who has been produced before us by the jail authority. Rule. By consent, rule is heard forthwith.

2. The petitioner had preferred application for furlough. The said application for furlough came to be rejected on the ground that if the petitioner is released on furlough, there would be threat to the life of the witnesses. As far as this apprehension is concerned, there is no material on record that petitioner at any time, had threatened

any of the witnesses. No other material is pointed out to reach such a conclusion. Thus, we find this apprehension to be unfounded.

3. The petitioner be released on furlough in accordance with the usual terms and conditions. The surety which is being furnished by the petitioner, be accepted. The name of surety and his address is as under:

> "Aroon Gorey, Crossroad Prison Ministries Society, C/63, Taj Housing Colony, Near "S" Bridge, Pais Street, Byculla (W) Mumbai-4000011".

In addition thereto, the petitioner shall report to Agripada Police Station on every alternate day during the period that he is on furlough. The petitioner shall inform the address at which he will reside during the period that he is on furlough.

4. Rule made absolute in the above terms. Petition is disposed of.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]